

**PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL
SECURITY (PABSS)**

ANNUAL PROGRAM PERFORMANCE REPORT

REPORTING PERIOD FROM: December 1, 2002 **TO:** November 30, 2003

GRANT AWARD NUMBER: 17-A-20051

STATE: Virginia

AGENCY NAME: Virginia Office for Protection and Advocacy

AGENCY ADDRESS: 202 North Ninth Street
Richmond, Virginia 23219

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DATE SUBMITTED: _____

ANNUAL PABSS PROGRAM PERFORMANCE REPORT

PART I – CLIENT STATISTICS FOR THE AWARD PERIOD: *(Note: Please use the “Year-to-Date” counts reported on the Quarterly PABSS Program Performance Report for the 4th Quarter.)*

Section A: Information and Referral

1. How many <u>individuals</u> received Information and Referral under the PABSS program during the award period? <i>(Do not count individuals more than once for this response.)</i>	666
2. How many Information and Referral <u>service requests</u> were made under the PABSS program during the award period? <i>(Include all service requests, even if more than one for some clients.)</i>	666

Section B: Individuals Served

1. How many individuals had open PABSS cases at the start of the award period? <i>(Do not count individuals more than once for this response.)</i>	1
2. How many new PABSS clients were added during the award period? <i>(Do not count individuals more than once for this response.)</i>	46
3. Total individuals served during the award period under the PABSS program. (Sum Section B-1 and B-2.)	47
4. Total active PABSS cases during the award period.	47
5. Number of individuals with more than one active case during the award period.	0
6. Total individuals whose cases were closed during the award period.	6
7. Total individuals who have cases carried forward to the next award period.	41

Section C: Client Demographics

1. Please provide counts of individuals served by Gender:

a. Male	15
b. Female	32
c. Total individuals served. <i>(Must equal count from Part I Section B-3 above.)</i>	47

2. Please provide counts of individuals served by Ethnicity:

a. Alaskan Native	0
b. American Indian	0

c. Asian	0
d. Black (Not Hispanic/Latino Origin)	18
e. Hispanic/Latino	0
f. Pacific Islander Other	0
g. White (Not Hispanic/Latino Origin)	29
h. Other	0
i. Unknown	0
j. Total individuals served. (Must equal count from Part I Section B-3 above.)	47

3. Please provide counts of individuals served by Age Bracket:

a. 21 and under	3
b. 22 to 40	18
c. 41 to 64	25
d. 65 and over (Please attach explanation including age of client at the time of intake.)	1*
e. Total individuals served. (Must equal count from Part I Section B-3 above.)	47

*VOPA served an individual over 65 under PABSS. In preparing our annual report, we realized this mistake. To remedy the situation VOPA will immediately transfer this individual to the Client Assistance Program.

4. Please provide counts of individuals served by Beneficiary Status:

a. SSI eligible	22
b. SSDI eligible	19
c. Dually eligible	6
d. Total individuals served. (Must equal count from Part I Section B-3 above.)	47

5. Please provide counts of client's major source of concern:

a. VR services (State agency)	39
b. VR services (employment network)	1
c. VR services (other agency)	0
d. Employment discrimination	9
e. Employment benefits	4
f. Need for benefits planning	0
g. Insufficient/improper benefits planning	0
h. Other (work related supports; specifically, personal assistance)	1
i. Total number of client concerns . (Multiple counts permitted)	54

6. Please provide counts of individuals served by Primary Disability:

a. Absence of extremities	0
b. Autism	0
c. Blindness (both eyes)	2
d. Cerebral palsy	3
e. Deaf-blind	0
f. Deafness	3
g. Digestive disorders	0
h. Epilepsy	2
i. Genitourinary conditions	0
j. Hearing impaired (not deaf)	1
k. Heart and other circulatory problems	4
l. HIV/AIDS	0
m. Mental illness	17
n. Mental retardation	1
o. Multiple sclerosis	0
p. Muscular dystrophy	0
q. Neurological disorders	0
r. Other emotional/behavioral (<i>Provide detail</i>)	0
s. Other intellectual (<i>Provide detail</i>)	0
t. Other physical/orthopedic incl. auto-immune (<i>spinal injuries and scoliosis</i>)	1
u. Respiratory disorders	1
v. Specific learning disabilities (SLD)	3
w. Speech impairment	0
x. Spina bifida	0
y. Substance abuse (alcohol or drugs)	0
z. Tourette syndrome	0
aa. Traumatic brain injury (TBI)	0
ab. Vision Impairment (not blind)	3
ac. Disability not known	0
ad. Total individuals served. (<i>Must equal count from Part I Section B-3 above.</i>)	47*

***OTHER:**

Brain Injury (not traumatic)-1

Muscular Skeletal-1

Neuromuscular-1

Paraplegia-1

Quadraplegia-1

Cancer-1

PART II – CASE STATISTICS FOR THE AWARD PERIOD

Section A: Satisfaction Surveys

1. Number of Satisfaction Surveys requested	12
2. Number of responses received	0
3. Number of positive responses	N/A
4. Number of negative responses (<i>Attach detail information</i>)	N/A

Section B: Problem/Sub-Problem areas of closed cases (*Note: For items with an asterisk, please attach explanation concerning how the problem/sub-problem affected employment.*)

1. [AT] Access to augmentive communication devices*	0
2. [AT] Access to durable medical equipment*	0
3. [AT] Access to other AT*	0
4. [AT] Access to vehicle modification/transportation*	0
5. [Education] Transition school to work	0
6. [Employment] Discrimination in employment benefits	0
7. [Employment] Discrimination in hiring	0
8. [Employment] Discrimination in supported employment	0
9. [Employment] Discrimination in termination	2
10. [Employment] Other employment discrimination	6
11. [Employment] Reasonable accommodation	0
12. [Employment] Service provider issues	1
13. [Employment] Wage and hour issues	0
14. [Financial Entitlements] SSI work incentives	0
15. [Financial Entitlements] SSDI work incentives	0
16. [Financial Entitlements] Other financial entitlements	1
17. [Healthcare] Medicaid only issues	0
18. [Healthcare] Medicare/Medicaid issues	0
19. [Healthcare] Medicare only issues	0
20. [Healthcare] Insurance (access to private/denial of coverage)	2
21. [Housing] Accommodations in housing*	0
22. [Housing] Architectural barriers*	0
23. [Housing] Modifications in housing*	0
24. [Housing] Other housing issues*	0
25. [Housing] Rental denial*	0
26. [Housing] Rental termination*	0
27. [Housing] Subsidized housing/Section 8*	0
28. [Other] Architectural barriers (Title III)	0
29. [Other] Childcare	0
30. [Other] Government issues	0
31. [Rehab Svcs] Communication problems (indiv/counselor)	3
32. [Rehab Svcs] Conflict about services to be provided	3
33. [Rehab Svcs] Individual requests information	0
34. [Rehab Svcs] Other Rehab Act-related problems	0

35. [Rehab Svcs] Private providers	0
36. [Rehab Svcs] Related to application/eligibility process	0
37. [Rehab Svcs] Related to plan development/implementation	5
38. [Rehab Svcs] Related to Title I of ADA	0
39. [Post-Secondary Ed] Physical accessibility	0
40. [Post-Secondary Ed] Programmatic accessibility	0
41. [Post-Secondary Ed] Funding issues	0
42. [Post-Secondary Ed] Grievance against college	0
43. [Post-Secondary Ed] Other support services	0
44. [Post-Secondary Ed] Other post-secondary education*	0
45. [Services] Personal assistance	0
46. [Transportation] Paratransit	0
47. [Transportation] Public transportation (non-paratransit)	0
48. [Transportation] Other transportation	0
49. Total PABSS cases closed during the award period	23

Section C: Other Closed Case Information

1. What was the reason for closing the client's case?

a. Some or all issues resolved in client's favor	19
b. Client decided not to pursue resolution	0
c. Client found other representation	0
d. Client refused to cooperate with P&A	0
e. Client relocated or is deceased	0
f. Client's case lacked legal merit	1
g. Appeals were unsuccessful	0
h. Other (<i>Attach detail information</i>)	03
i. Total PABSS cases closed during the award period	23

2. What was the highest intervention strategy used?

a. Short term assistance	0
b. Technical assistance	12
c. Legal remedies	0
d. Administrative remedies	0
e. Informal resolution	0
f. Negotiation	9
g. Mediation	0
h. Total PABSS cases closed during the award period (2 cases closed due to no client response, thus no strategy provided)	23

3. As a result of P&A intervention, the following major outcome was achieved:

a. Client gained access to VR services	11
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b. Client obtained employment	0
c. Client regained employment	0
d. Client maintained employment	0
e. Client advanced in employment	0
f. Client's employment opportunities increased	9
g. Client obtained an increase in salary and/or benefits	0
h. Outcome information is not available	3
i. Other outcome (<i>Attach detail information</i>)	0
j. Total PABSS cases closed during the award period	23

PART III – ANNUAL NARRATIVE

Section A: Description of Progress and Status Update: [Please provide a brief overview of overall project status, staff changes, staff training or other major developments with regard to the PABSS program.]

- The Virginia Office for Protection and Advocacy (VOPA) continues to participate in and provide input for the interagency Medicaid Buy-In Workgroup. Principal agencies are the Department of Medical Assistance Services (DMAS), the Department of Rehabilitative Services (DRS), and VOPA. Other agencies, including Social Security, the Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS), and several local agencies are also participants. VOPA continues to participate in meetings of the Executive Steering Committee of this group, comprised of representatives of VOPA, DRS, and DMAS as well as the staff person to Virginia's Disability Commission. (The Disability Commission serves as a forum where the needs and issues of people with disabilities can be addressed through the collaboration of members of the legislature, the Lieutenant Governor, the Governor's appointees, and the agencies of the Executive branch. The Commission works to accelerate effective state system change by requiring intergovernmental and interagency coordination, as well as stakeholder input on critical disability decisions.)
- VOPA provided significant information to DRS, DMAS and advocacy entities in conjunction with legislative consideration of the Medicaid Buy-In. VOPA was invited to attend, and attended, the ceremonial signing of Medicaid Buy-In legislation in July, 2003. This legislation will allow funds for a 200 person Medicaid Buy-In pilot.
- VOPA participated in the Coordination Subcommittee of the Medicaid Buy-In group. This group's mission is to facilitate Commonwealth employers' role in breaking down barriers to work for SSI/SSDI beneficiaries, and to foster collaboration between service providers working toward this goal.
- An example of the Coordination Subcommittee's work was the creation of the DRS Employer Forum. Within this forum, VOPA presented on its role under the Ticket to Work program.

- VOPA has provided information and referral services to SSI/SSDI beneficiaries calling with questions regarding the Ticket to Work legislation and program implementation status in Virginia. Information has also been provided on issues relating to Medicaid 1619b status and employment discrimination. The SSA approved Ticket to Work Fact Sheet has been distributed to these individuals and others.
- The VOPA CAP Team was briefed on applicable statutory Ticket to Work provisions to prepare them to handle certain Ticket to Work cases.
- VOPA conducted research on current controversial PABSS topics and presented them to applicable staff at the Virginia Commonwealth University (VCU). VOPA conducted this project to familiarize staff with these issues and in response to VCU's request for assistance with a research project, tracking problematic PABSS issues.
- VOPA is part of Virginia's Ticket to Work workgroup. DRS is the lead agency. SSA, a benefits planning organization (BPAO), an employment network (EN), along with others, are involved. This entails collaboratively tracking progress and problems in Virginia as the Ticket to Work Program is introduced and implemented.
- VOPA is involved in the Agreement Subcommittee of the Ticket to Work workgroup referenced above. The Subcommittee is comprised of DRS, an EN, a BPAO, VOPA, along with others, and its charge is to research the issue of DRS/EN agreements, i.e. what is being done in other states and how will these models, or aspects of these models work in Virginia. The goal of the subcommittee is to create a DRS/EN model agreement(s).
- VOPA participated in the national PABSS teleconference regarding broadening of PABSS authority to further serve clients.
- VOPA is now part of the Virginia BPAO electronic, web-based list serve.

Sub-category—Trainings/Presentations

- VOPA created and implemented a Transition Listening Tour. The goal of this tour was three-fold. The first objective was to provide information to parents, educators, and consumers about school-to-work transition, including: 1. Virginia Special Education Transition Law; 2. Medicaid 1619 (b); 3. The Ticket to Work Program and Transition; and 4. The Medicaid Buy-In. The second objective was to obtain information from parents, educators, and consumers about students' transition needs (including the Medicaid Buy-In and 1619b). The third objective was to facilitate knowledge of the BPAOs and how they can assist students with disabilities (The BPAO presented on its role, and foster contacts with parents, consumers, and educators).
- 1st Listening Tour Session: VOPA, in collaboration with a benefits planner, presented on Ticket to Work, benefits planning, and transition law to educators, providers, and consumers (students and parents) at a Transition Forum. VOPA also solicited information from the attendees to assist in future transition planning.

- 2nd Listening Tour Session: VOPA trained educators, providers, and consumers on Ticket to Work, focusing on applicable transition issues at another Transition Forum. This presentation was given in collaboration with a benefits planner and a SSA employee. VOPA also solicited information from the attendees to assist in future transition planning. Thirty individuals attended.
- 3rd Listening Tour Session: VOPA presented to young adults with disabilities (part of the Youth Leadership Forum alumnae sponsored by the Virginia Board for People with Disabilities). VOPA presented on Ticket to Work, including PABSS role and benefits planning issues. VOPA spoke about applicable transition issues and solicited input regarding transition from the group.
- 4th Listening Tour Session: VOPA presented at a Transition Conference.
- VOPA presented on Ticket to Work, particularly PABSS role under this program, to the staff of a Center for Independent Living.
- VOPA gave two presentations on its role under the Ticket to Work program at a local agency that fosters employment for individuals with disabilities.
- VOPA initiated, planned, and implemented a training for 60 individuals with disabilities. VOPA created a panel with members from SSA, MAXIMAS (organization that manages/oversees the Ticket to Work program), a BPAO, and DRS.
- VOPA conducted an inservice for VOPA staff about its role under the Ticket to Work program.
- VOPA arranged for a SSA speaker to present on Ticket to Work related topics such as SSA disability programs and work incentives to VOPA's staff. The goal of this effort was to facilitate and improve the Information and Referral activity conducted by VOPA in the PABSS area, and to facilitate internal collaboration.
- VOPA presented on its role under the Ticket to Work program to the National Alliance for Individuals with Mental Illness (NAIMI) at their national conference.
- VOPA presented on its role under the Ticket to Work program to National Council of Indians.
- VOPA presented on benefits planning within the schools to the Disability Commission.
- Within the context of the above-referenced trainings, VOPA distributed VOPA's pamphlet on the Ticket to Work program.

Section B: Detail of Actions Taken on the Project:

1. Case Summaries: [Please provide summaries of three cases undertaken as part of the PABSS project. Include brief summary of the facts, issue(s) and current status.]

VOPA provided advocacy for a SSDI beneficiary whose DRS (her employment network) case had been wrongly terminated. VOPA helped the beneficiary to open an appropriate case with DRS. The beneficiary is now involved in a DRS work readiness program, moving toward her employment goals. Upon being favorably resolved, this case was closed.

VOPA advocated for an SSI beneficiary to attain an appropriate employment plan (DRS is the consumer's EN), appropriate classes related to the employment plan, and transportation to travel to and from school. VOPA attained all of these goals and has closed this case.

For a SSI beneficiary, VOPA provided technical assistance regarding employment discrimination. VOPA explained what the Equal Employment Opportunity Commission (EEOC) is, gave in-depth explanations of how one files a complaint with the EEOC, mailed out packets of EEOC information, and provided numbers for legal aid resources in the individual's geographic area. The beneficiary was also linked with a benefits planner and appropriate EN. This case has been closed.

Section B: Detail of Actions Taken on the Project: (Continued)

2(a). Other Activities Statistics: Please provide quantitative details of outreach and presentation activities offered to consumers and other groups, newsletter articles or other media events, informational materials developed or other activities undertaken as part of the PABSS project.]

Total Number of Outreach/Presentations 13

Total Number of Persons Reached by Outreach/Presentation Events 307

Other Information Dissemination Activities:

• Radio/TV appearances	<u>0</u>
• Newspaper articles (attach)	<u>0</u>
• PSAs/videos/films aired	<u>0</u>
• Reports disseminated	<u>0</u>
• Publications disseminated	<u>3667</u>
• Number of hits on Website	<u>15,067</u>
• Other media activities (describe)	
N/A	

2(b). Other Activities Narrative: [Please provide a description of outreach efforts, training sessions offered to consumers and other groups, newsletter articles or other media events, informational materials developed or other activities undertaken as part of the PABSS project.]

- VOPA is now part of the Virginia BPAO list serve.
- VOPA attended the DRS Employer Forum. This group's mission is to facilitate Commonwealth employers' role in breaking down barriers to work for SSI/SSDI beneficiaries, and to foster collaboration between service providers working toward this goal. Within this forum, VOPA presented its role under the Ticket to Work program.
- VOPA created and implemented a Transition Listening Tour. The goal of this tour was three-fold. The first objective was to provide information to parents, educators, and consumers about school-to-work transition, including: 1. Virginia Special Education Transition Law; 2. 1619 (b); 3. The Ticket to Work Program and Transition; and 4. The Medicaid Buy-In. The second objective was to obtain information from parents, educators, and consumers about students' transition needs (including the Medicaid Buy-In and 1619b). The third objective was to facilitate knowledge of the BPAOs and how they can assist students with disabilities (The BPAO presented on its role, and foster contacts with parents, consumers, and educators).
- 1st Listening Tour Session: VOPA, in collaboration with a benefits planner, presented on Ticket to Work, benefits planning, and transition law to educators, agency staff and consumers (students and parents) at a Transition Forum. VOPA also solicited information from the attendees to assist in future transition planning.
- 2nd Listening Tour Session: VOPA trained educators, agency staff, and consumers on Ticket to Work, focusing on applicable transition issues at another Transition Forum. This presentation was given in collaboration with a benefits planner and a SSA employee. VOPA also solicited information from the attendees to assist in future transition planning. Thirty individuals attended.
- 3rd Listening Tour Session: VOPA presented to young adults with disabilities (part of the Youth Leadership Forum alumnae sponsored by the Virginia Board for People with Disabilities). VOPA presented on Ticket to Work, including PABSS role and benefits planning issues. VOPA spoke about applicable transition issues and solicited input regarding transition from the group.
- 4th Listening Tour Session: VOPA presented on November 15, 2003 in Northern Virginia at a Transition Conference.
- VOPA presented on Ticket to Work, particularly PABSS role under this program, to the staff of a Center for Independent Living.
- VOPA presented on its role under the Ticket to Work program to the Youth Leadership Forum Alumnae Group.

- VOPA presented on its role under the Ticket to Work program to the Richmond Career Advancement Center (RCAC) and discussed how our groups could work collaboratively to facilitate our respective goals.
- VOPA initiated, planned, and implemented a training for 60 individuals with disabilities at an Employment Center in Arlington, Virginia in January, 2003. VOPA created a panel with members from SSA, MAXIMAS, a BPAO, and DRS.
- VOPA conducted an inservice for VOPA staff about its role under the Ticket to Work program.
- VOPA arranged for a SSA speaker to present on Ticket to Work related topics such as SSA disability programs and work incentives to VOPA staff. The goal of this effort was to facilitate and improve the Information and Referral activity conducted by VOPA in the PABSS area, and to facilitate internal collaboration.
- VOPA presented on its role under the Ticket to Work program to the National Alliance for Individuals with Mental Illness (NAIMI) national conference.
- VOPA presented on its role under the Ticket to Work program to National Council of Indians.
- VOPA presented on transition law and benefits planning to advocates for individuals with disabilities at a local agency that fosters employment for individuals with disabilities.
- VOPA presented on transition law and benefits planning to the school administrators, educators and other agency personnel at a Transition Conference.
- VOPA presented on benefits planning within the schools to the Disability Commission.
- Within the context of the above-referenced trainings, VOPA distributed its pamphlet on the Ticket to Work program.

Section C: Diversification activities: [Please provide a description of activities undertaken to address the needs of individuals with disabilities from diverse ethnic and racial communities.]

Trainings are conducted throughout the state and advertised in a manner that ensures that members of minority populations are aware of the opportunity to participate. In Virginia's other programs, the percentages of clients served who are members of underrepresented populations have typically been consistent with or above the percentage representation provided by the most recent U.S Census.

VOPA plans to have its brochure translated into Spanish.

In October, 2003, VOPA presented to the Native American Council on Ticket to Work legislation, and its role under this program. They were interested in the information presented and requested a presentation at the annual March conference.